



NOT FOR PUBLICATION
UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

FERNANDO C. MUNCHMEYER and
VERONICA MUNCHMEYER,

Debtors.

Case No. 2:17-bk-15164-RK

Chapter 7

**ORDER DENYING APPROVAL OF
REAFFIRMATION AGREEMENT**

Date: January 25, 2018
Time: 9:30 a.m.
Courtroom: 1675

This bankruptcy case came on for hearing on January 25, 2018 before the undersigned United States Bankruptcy Judge on the reaffirmation agreement of Debtors Fernando C. Munchmeyer and Veronica Munchmeyer and Creditor Capital One Auto Finance, a division of Capital One, N.A., regarding a 2006 Mercedes Benz R Class Utility 4 Door R350 4 Wheel Drive automobile. Debtors appeared for themselves, advising that their bankruptcy counsel, Kenneth W. Moffatt, Law Office of Ken W. Moffatt, was not appearing for them at the hearing. No other appearances are made.

At the hearing, the court orally ruled that it cannot approve the reaffirmation agreement because it was made on December 1, 2017 after the order of discharge of

1 debtors in this Chapter 7 bankruptcy case was entered on August 14, 2017 pursuant to
2 11 U.S.C. § 727. The reaffirmation agreement indicated that debtor Veronica
3 Munchmeyer signed and dated the agreement on November 29, 2017 and that the
4 agreement was signed and dated on behalf of the creditor, Capital One Auto Finance,
5 on December 1, 2017. Section 524(c)(1) of the Bankruptcy Code, 11 U.S.C., only
6 authorizes this court to approve reaffirmation agreements made before the granting of
7 the discharge of debtors under 11 U.S.C. § 727. 11 U.S.C. § 524(c)(1); *In re Motley*, 68
8 B.R. 836, 843 (Bankr. C.D. Cal. 2001)(citation omitted); *In re Kamps*, 217 B.R. 836, 843
9 (Bankr. C.D. Cal. 1998)(citations omitted).

10 Because debtors' reaffirmation agreement with the creditor was made after their
11 discharge was granted, the agreement may not be approved.

12 Accordingly, the court denies approval of the reaffirmation agreement.

13 IT IS SO ORDERED.

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25 Date: January 25, 2018



Robert Kwan
United States Bankruptcy Judge